

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GANG KOU, INDIVIDUALLY AND ON
BEHALF OF ALL OTHERS SIMILARLY
SITUATED,

07 CV 3230 (PAC)

Plaintiff,

WAIVER OF SERVICE

v.

MEDIS TECHNOLOGIES LTD., ROBERT K.
LIFTON, and ANDREW UDISH,

Defendants.

TO: Phillip C. Kim, Esq.
The Rosen Law Firm, P.A.
350 5th Ave., Ste. 5508
New York, NY 10118

Defendants Medis Technologies Ltd., Robert K. Lifton, and Andrew Udis (the
“Defendants”) acknowledge receipt of Plaintiff’s request to waive service of summons, and also
acknowledge receipt of a copy of the complaint, in the above-captioned action.

Defendants hereby agree to save the cost of service of a summons and an additional copy
of the complaint in this lawsuit by not requiring that Defendants be served with judicial process
in the manner provided by Fed. R. Civ. P. 4.

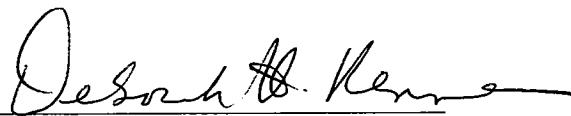
Defendants will retain all defenses or objections to the lawsuit or to the jurisdiction or
venue of the court except for objections based on a defect in the summons or in the service of the
summons.

Defendants understand that a judgment may be entered against each of them if an

answer or motion under Fed. R. Civ. P. 12 is not served upon Plaintiff within 60 days after the filing of Plaintiff's Amended Complaint, pursuant to stipulation by counsel for the parties.

Dated: New York, New York
May 21, 2007

SONNENSCHEIN NATH & ROSENTHAL LLP

By: 
Deborah H. Renner, Esq. (DR 4225)

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Attorneys for Defendants
Medis Technologies Ltd.,
Robert K. Lifton, and Andrew Udis

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